

### REMARKS

In the October 3, 2005 Office Action, all of claims 1-20 stand rejected in view of prior art. No other objections or rejections are made in the Office Action.

#### *Status of Claims and Amendments*

In response to the October 3, 2005 Office Action, Applicants have amended the specification and claim 1 as indicated above. Claims 3-8 and 11-20 have also been amended to correct grammatical errors and conform to claim 1 as now amended. Thus, claims 1-20 are pending, with claim 1 being the only independent claim. Reexamination and reconsideration of the pending claims are respectfully requested in view of the above amendments and the following comments.

#### *Specification*

Applicants have found a typographical error in the specification upon review thereof. Accordingly, Applicants have amended the specification as presented above. Applicants believe that the specification is now correct and complies with 37 CFR §1.71 and §1.75(d)(1).

#### *Rejections - 35 U.S.C. § 102*

In paragraphs 1-2 of the Office Action, claims 1-13 and 16-18 stand rejected under 35 U.S.C. §102(b) as being anticipated by U.S. Patent No. 6,726,794 to Belt ("Belt patent"). In response, Applicants have amended independent claim 1 to clearly define the present invention over the prior art of record.

In particular, independent claim 1 has been amended to recite that the tape holding mechanism *conveys the bag attached to the tape in the substantially horizontal direction*. Clearly, this structure is *not* disclosed or suggested by the Belt patent or any other prior art of record.

In the Belt patent, as clearly seen in Figures 1-3, the bag 12 and the strip material 30 are dropped downward immediately after the bag 12 is attached to the strip material 30. Clearly, there is no horizontal conveyance of the bag 12 attached to the strip material 30.

In the structure of the Belt patent, as the bag 12 and the strip material 30 drop downward, the weight of the bag 12 acts on a part of the strip material 30 that is still on the base 24, pulling the part of the strip material 30 downward. Such pulling of the strip material 30 makes it more likely for the bag 12 that is attached to the strip material 30 subsequently to

become detached from the strip material 30, which hinders the operation of the tape mounting system.

On the other hand, the tape mounting system of claim 1 of the present application requires that the bag be conveyed in the horizontal direction after the bag is attached to the tape. Thus, while a subsequent bag is being attached to the tape, at least the immediately preceding bag that has just been attached to the tape is conveyed in the horizontal direction, and accordingly supported at a position that is horizontal relative to the position of the subsequent bag. Therefore, the weight of the preceding bag does not act on the tape while the subsequent bag is being attached to the tape. Applicants believe that this aspect of the invention as defined by claim 1 is not disclosed or suggested by the Belt patent.

It is well settled under U.S. patent law that for a reference to anticipate a claim, the reference must disclose each and every element of the claim within the reference. Therefore, Applicants respectfully submit that claim 1, as now amended, is not anticipated by the prior art of record. Withdrawal of this rejection is respectfully requested.

Moreover, Applicants believe that dependent claims 2-13 and 16-18 are also allowable over the prior art of record in that they depend from independent claim 1, and therefore are narrower. Thus, Applicants believe that since the prior art of record does not anticipate the independent claim 1, neither does the prior art anticipate dependent claims 2-13 and 16-18.

Applicants respectfully request withdrawal of the rejections.

***Rejections - 35 U.S.C. § 103***

In paragraphs 3-4 of the Office Action, claims 14-15 and 19-20 stand rejected under 35 U.S.C. §103(a) as being unpatentable over the Belt patent in view of U.S. Patent Application Publication No. 2002/0000179 to Nakagawa ("Nakagawa patent"). In response, Applicants have amended independent claim 1 as mentioned above.

More specifically, independent claim 1 now clearly recite that the tape holding mechanism conveys the bag attached to the tape in the substantially horizontal direction. Clearly, this arrangement is *not* disclosed or suggested by the Belt patent, the Nakagawa patent, or any other prior art of record.

Discussion regarding the Belt patent has been advanced above. Applicants believe that the Belt patent does not disclose or suggest the arrangement of claim 1 as now amended.

Regarding the Nakagawa patent, it is cited in the Office Action to show the inspection of the seal, the photoelectric sensors, and the weight detection means. The Nakagawa patent basically pertains to a bag manufacturing and packaging apparatus. Clearly, there is no disclosure or suggestion of attaching the bags to a tape in the Nakagawa patent. Thus, the Nakagawa patent does not disclose or suggest the tape holding mechanism that conveys the bag attached to the tape in the substantially horizontal direction, which is required by claim 1 as now amended. In other words, the Nakagawa patent does not cure the deficiency of the Belt patent. Accordingly, Applicants believe that the Nakagawa patent does not disclose or suggest the arrangement of claim 1, whether taken singularly or in combination with the Belt patent.

Applicants believe that dependent claims 14-15 and 19-20 are also allowable over the prior art of record in that they depend from independent claim 1, and therefore are narrower. Thus, Applicants believe that, since the prior art of record does not disclose or suggest the invention as set forth in independent claim 1, the prior art of record also fails to disclose or suggest the inventions as set forth in dependent claims 14-15 and 19-20.

Therefore, Applicants respectfully request that these rejections be withdrawn in view of the above comments and amendments.

***Prior Art Citation***


In the Office Action, additional prior art references are made of record. Applicants believe that these references do not render the claimed invention obvious.

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In view of the foregoing amendment and comments, Applicants respectfully assert that claims 1-20 are now in condition for allowance. Reexamination and reconsideration of the pending claims are respectfully requested.

Appl. No. 10/779,662  
Amendment dated December 29, 2005  
Reply to Office Action of October 3, 2005

Respectfully submitted,

  
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Dated: Dec 29, 2005

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